

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Vem Yenovkian,

Plaintiff(s),

vs.

Capital One Financial Corporation,

Defendant(s).

2:24-cv-00027-JAD-MDC

Order

Pro se plaintiff Vem Yenovkian filed an application to proceed *in forma pauperis* (ECF No. 1) and his complaint (ECF No. 1-2). The Court previously denied plaintiff's IFP and ordered him to either file the long-form IFP or pay the full filing fee. ECF No. 5. Plaintiff paid the filing fee. ECF No. 6. Plaintiff can proceed with his case pro se, without prior screening, since he is not a prisoner, he is not proceeding in forma pauperis, and he paid the filing fee. See 28 U.S.C. § 1915(e)(2)(B); See also *Salat v. County of Sacramento*, 2015 U.S. Dist. LEXIS 89314, 2 citing to 28 U.S.C. § 1915(e)(2)(B) and *Bardes v. Magera*, 2008 U.S. Dist. LEXIS 49289, 2008 WL 2627134 10 (D.S.C. 2008) (finding that it is error to screen a non-prisoner pro se plaintiff's complaint when the plaintiff pays the filing fee).

Accordingly,

IT IS ORDERED that the Clerk of Court file the Complaint (ECF No. 1-2).

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985).

1 This circuit has also held that (1) failure to file objections within the specified time and (2) failure
2 to properly address and brief the objectionable issues waives the right to appeal the District Court's order
3 and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157
4 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR
5 IA 3-1, the plaintiff must immediately file written notification with the court of any change of address.
6 The notification must include proof of service upon each opposing party's attorney, or upon the opposing
7 party if the party is unrepresented by counsel. Failure to comply with this rule may result in dismissal of
8 the action.

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10 DATED this 13th day of March

11 IT IS SO ORDERED.

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15 Maximiliano D. Couvillier III
16 United States Magistrate Judge
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